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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,088	12/16/2003	Thomas L. Kelly	KES-0003	5181

23413 7590 05/23/2008

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 05/23/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

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10737088	12/16/2003	KELLY, THOMAS L.	KES-0003

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EXAMINER

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3633

20080522

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Commissioner for Patents

This communication informs applicant that the appeal brief filed on 3/21/08 is still defective for a reason set forth in the Notice of Non-Compliant Appeal Brief of 2/12/08. In the Notice, the Appellant was informed that the brief does not present an argument under a separate heading for each ground of rejection on appeal. In response to the Notice of 2/12/08, Appellant submitted the Appeal Brief of 3/21/08, which still does not present the argument under a separate heading for each ground of rejection on appeal. Therefore, the Appeal Brief of 3/21/08 is defective.

The Notice of Non-Compliant Appeal Brief of 2/12/08 set forth a one month time period for reply. That time period remains. Extensions of time are available (37 CFR 41.37(d)).

/Phi D A/
Examiner, Art Unit 3633